



Eric Gonzalez
District Attorney

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KINGS COUNTY
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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: Dominic Cappiello

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS CAPIELLO PLED GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES AND SPECIFICATIONS ARISING OUT OF AN INCIDENT ON OR ABOUT 03/26/2009 WITHIN THE CONFINES OF THE 70TH PRECINCT, WHILE THE MOS WAS ASSIGNED TO THE 70TH PRECINCT AND ON DUTY:

ALLEGATION(S):

1. MOS CAPIELLO FAILED TO FOLLOW DARP PROCEDURE BY ALLOWING A NON-DARP TOWING COMPANY TO REMOVE MOTOR VEHICLES FROM THE SCENE OF A VEHICLE ACCIDENT, WHEN SAID TOW TRUCK WAS NOT DISPATCH BY THE COMMUNICATIONS SECTION.
2. MOA CAPIELLO FAILED TO FOLLOW DARP PROCEDURE BY NOT ISSUING A NOTICE OF VIOLATION TO AN UNAUTHORIZED TOWING COMPANY WHEN IT APPEARED AT THE SCENE OF A VEHICLE ACCIDENT AND TOWED SAID VEHICLES FROM THE SCENE.
3. MOS CAPIELLO FAILED TO FOLLOW DARP PROCEDURE BY NOT REQUESTING AN AUTHORIZED DARP TOWING COMPANY AND ALLOWING A NON-DARP TOWING COMPANY TO REMOVE VEHICLES FROM THE SCENE OF VARIOUS MOTOR VEHICLE ACCIDENTS.
4. MOS CAPIELLO FAILED TO GIVE A PROPER RADIO DISPOSITION TO THE COMMUNICATIONS SECTION BY NOT INFORMING THEM THAT A VEHICLE WAS TOWED FROM THE SCENE.
5. MOS CAPIELLO DID ENGAGE IN IMPROPER USE OF HIS PERSONAL CELLULAR TELEPHONE.
6. MOS CAPIELLO CONDUCTED PERSONAL BUSINESS WHILE ON DEPARTMENT TIME BY UTILIZING HIS PERSONAL CELLULAR TELEPHONE.

CASE STATUS: CLOSED ON 01/07/2013

ACTION TAKEN: MOS CAPIELLO WAS PLACED ON DISMISSAL PROBATION FOR ONE YEAR, AND FORFEITED THIRTY VACATION DAYS

Disclosure # 2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 09/27/2011, AGAINST MOS CAPIELLO: ALLEGATION(S):

1. TRAFFIC VIOLATION BUREAU – NO COPY SUMMONS
2. TRAFFIC VIOLATION BUREAU – NO MEMOBOOK
3. TRAFFIC VIOLATION BUREAU – MEMOBOOK INCOMPLETE

4. OTHER DEPARTMENT RULES/ PROCEDURES VIOLATION

CASE STATUS: CLOSED ON 01/24/2012

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE

Disclosure # 3:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT:

1. WILLIAM CHEN, DAVID K.Y. WONG AND LINDEN PLACE ENTERPRISES V. CITY OF NEW YORK, ET AL, 151762/2015, FILED IN NEW YORK COUNTY SUPREME COURT
2. BENJAMIN SPARKS V. CITY OF NEW YORK, ET AL, 010959/2015, FILED IN QUEENS COUNTY SUPREME COURT

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 4:

CCRB CASE NO. 201505431

REPORT DATE: 07/01/2015

DATE OF INCIDENT: 06/30/2015

SUBSTANTIATED CCRB ALLEGATION(S):

1. ABUSE – STOP
2. ABUSE – FRISK

NYPD DISPOSITION: FORMALIZED TRAINING

Eric Gonzalez
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Kings County